

CLOSED

**U.S. District Court
Northern District of Texas (Abilene)
CRIMINAL DOCKET FOR CASE #: 1:24-mj-00025-BU-1**

Case title: USA v. Collins

Date Filed: 05/06/2024

Date Terminated: 05/14/2024

Assigned to: Magistrate Judge
John R. Parker

Defendant (1)

Alek Isaiah Collins

TERMINATED: 05/14/2024

also known as

Alik Isaiah Collins

TERMINATED: 05/14/2024

represented by **Kristen Ayers-FPD**

Federal Public Defender's Office

1205 Texas Avenue

Suite 507

Lubbock, TX 79401

Email: Kristen.Ayers@fd.org

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

*Designation: Federal Public Defender
Appointment*

Bar Status: Admitted/In Good Standing

Federal Public Defender – AB/LU/SA

Federal Public Defender

1205 Texas Avenue

Lubbock, TX 79401

806-472-7236

Email: sarah_gunter@fd.org

TERMINATED: 05/07/2024

*Designation: Federal Public Defender
Appointment*

Bar Status: Not Admitted

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level
(Terminated)

None

Complaints**Disposition**

Rule 5 from the District of New
Mexico – 18 U.S.C. §§ 1201(a)(1)
and (g) Kidnapping of a Minor

Plaintiff**USA**

represented by **Matt L Tusing–DOJ**
US Attorney's Office
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Abilene, TX 79602
325–271–6700
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: US Attorney's Office
Bar Status: Not Admitted

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ATTORNEY TO BE NOTICED
Designation: US Attorney's Office
Bar Status: Not Admitted

Date Filed	#	Docket Text
05/06/2024	<u>1</u>	Rule 5 from the District of New Mexico as to Alik Isaiah Collins (1). In each Notice of Electronic Filing, the judge assignment is indicated, and a link to the <u>Judges Copy Requirements</u> and <u>Judge Specific Requirements</u> is provided. The court reminds the filer that any required copy of this and future documents must be delivered to the judge, in the manner prescribed, within three business days of filing. (mms) (Additional attachment(s) added on 5/7/2024: # <u>1</u> Additional Page(s) Warrant) (mcrcd). (Entered: 05/06/2024)
05/06/2024	2	ELECTRONIC ORDER as to Alik Isaiah Collins: Initial Appearance – Rule 5 set for 5/7/2024 at 10:00 AM in US Courthouse, Courtroom 2000, 341 Pine St., Abilene, TX 79601–5928 before Magistrate Judge John R. Parker. (Ordered by Magistrate Judge John R. Parker on 5/6/2024) (mms) (Entered: 05/06/2024)

05/07/2024	<u>3</u>	(Document Restricted) CJA 23 Financial Affidavit by Alik Isaiah Collins. (skf) (Entered: 05/07/2024)
05/07/2024	<u>4</u>	MOTION FOR PRETRIAL DETENTION AND MOTION TO CONTINUE DETENTION HEARING filed by USA as to Alik Isaiah Collins. (skf) (Entered: 05/07/2024)
05/07/2024	<u>5</u>	ELECTRONIC ORDER as to Alik Isaiah Collins: Initial Appearance RESET for 5/9/2024 at 10:00 AM in US Courthouse, Courtroom 2000, 341 Pine St., Abilene, TX 79601–5928 before Magistrate Judge John R. Parker. Hearing is continued until Thursday due to the defendant's refusal to be transported from jail. (Ordered by Magistrate Judge John R. Parker on 5/7/2024) (mcrd) (Entered: 05/07/2024)
05/07/2024	<u>6</u>	ELECTRONIC Minute Entry for proceedings held before Magistrate Judge John R. Parker: Initial Appearance Hearing not held on 5/7/2024 as to Alik Isaiah Collins. Court called the case on the record. Defendant refused to appear. Case has been reset to the Thursday docket. Orders to be entered. Attorney Appearances: AUSA – Matt Tusing; Defense – None. (No exhibits) Time in Court – :06. (Court Reporter: Digital File) (Interpreter None.) (USPO Doran/Quigley.) (mcrd) (Entered: 05/07/2024)
05/07/2024	<u>7</u>	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Alik Isaiah Collins. Federal Public Defender – AB/LU/SA for Alik Isaiah Collins appointed. (Ordered by Magistrate Judge John R. Parker on 5/7/2024) (skf) (Entered: 05/07/2024)
05/07/2024	<u>8</u>	NOTICE OF ATTORNEY APPEARANCE Kristen Ayers appearing for Alik Isaiah Collins (If sealed documents that you are authorized to see were previously filed by U.S. Pretrial Services or U.S. Probation, you will require assistance to gain access to them and any related filings. Please call the clerk at 214.753.2240 during business hours to request access.) (skf) (Entered: 05/07/2024)
05/07/2024		Attorney update in case as to Alik Isaiah Collins. Attorney Kristen Ayers–FPD for Alik Isaiah Collins added. Attorney Federal Public Defender – AB/LU/SA terminated. (skf) (Entered: 05/07/2024)
05/07/2024	<u>9</u>	Unopposed Motion for Continuance of Initial Appearance filed by Alik Isaiah Collins. (skf) (Entered: 05/08/2024)
05/08/2024	<u>10</u>	ORDER granting <u>9</u> Motion to Continue as to Alik Isaiah Collins (1). Initial Appearance RESET for 5/14/2024 10:00 AM in US Courthouse, Courtroom 2000, 341 Pine St., Abilene, TX 79601–5928 before Magistrate Judge John R. Parker. (Ordered by Magistrate Judge John R. Parker on 5/8/2024) (skf) (Entered: 05/08/2024)
05/14/2024	<u>11</u>	ELECTRONIC Minute Entry for proceedings held before Magistrate Judge John R. Parker: Initial Appearance as to Alek Isaiah Collins held on 5/14/2024. Date of Arrest: 5/7/2024. Defendant qualified for appointment of counsel. Defendant and defense counsel filed a written waiver of hearings being held in the Northern District and asks that the hearings be held in New Mexico. Orders to be entered. The Court finds that the proper spelling of Defendant's name is Alek Isaiah Collins. Defendant remanded to custody. Attorney Appearances: AUSA – Matt Tusing; Defense – Kristen Ayers. (No exhibits) Time in Court – :10. (Court Reporter: Digital File) (Interpreter None.) (USPO Hernandez/Quigley.) (mcrd) (Entered: 05/14/2024)
05/14/2024	<u>12</u>	ELECTRONIC ORDER As to Alek Isaiah Collins: by this order — issued to the prosecution and defense counsel — the court confirms the disclosure obligation of the prosecutor under <i>Brady v. Maryland</i> , 373 U.S. 83 (1963), and its progeny, and the

		<p>possible consequences of violating such order under applicable law.</p> <p>This written order is entered pursuant to Rule 5(f)(1) of the Federal Rules of Criminal Procedure, and is in addition to the oral order entered by the court on the first scheduled court date when both the prosecutor and defense counsel were present. (Ordered by Magistrate Judge John R. Parker on 5/14/2024) (mcrd) (Entered: 05/14/2024)</p>
05/14/2024		<p>A request was made as to Defendant Alik Isaiah Collins to correct the defendant's name, and the judge has approved. Defendant's true name is Alek Isaiah Collins. (mms) (Entered: 05/14/2024)</p>
05/14/2024	<u>13</u>	<p>WAIVER of Rule 5 Hearings by Alek Isaiah Collins. (skf) (Entered: 05/14/2024)</p>
05/14/2024	<u>14</u>	<p>Report of Proceedings under Rule 5(c)(3) and 5.1 as to Alek Isaiah Collins. Defendant is removed forthwith to the district in which he is charged. Paperwork sent to District of New Mexico, Albuquerque Division. (Ordered by Magistrate Judge John R. Parker on 5/14/2024) (skf) (Entered: 05/14/2024)</p>

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION

FILED - USDC - NDTX - AB
MAY 14 2024 PM 12:03

UNITED STATES OF AMERICA

§ Magistrate Docket No.: 1:24-MJ-00025-BU

§ Docket No. in Charging District

§ 24-MJ-650

v.

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§ District of New Mexico

ALIK ISAIAH COLLINS (1)

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REPORT AND ORDER ON PROCEEDINGS UNDER RULE 5(c)(3)

The defendant is charged in the above-referenced district with the offense 18 U.S.C. §§ 1201(a)(1) and (g) Kidnapping of a Minor. Having been arrested in this district on a warrant issued on charges in a different district, the defendant appeared before the undersigned who advised the defendant of the following subjects, ensured that the defendant understood each, and ensured that any waivers by the defendant of rights to hearings in the district of arrest were knowingly and voluntarily given:

- ☒ The defendant was advised of the CHARGE(S) against the defendant. Rule 5(d)(1)(A).
- ☒ The defendant was advised of his/her RIGHTS, including the right to retain or request court-appointed counsel, the right to silence, and the right of non-United States citizens to have a consular officer from the defendant's county of nationality notified of his/her arrest. Rule 5(d)(1)(B), (E), (F).
- ☒ The undersigned informed the defendant of the circumstances under which the defendant's prosecution may be TRANSFERRED from the district where the charges are pending to the district of arrest, as provided for in Rule 20. Rule 5(c)(3)(A).
- ☒ The undersigned FINDS that the government has produced the WARRANT for defendant's arrest, a certified copy of the warrant, or a reliable electronic form of the warrant. Rule 5(c)(3)(B).

☐ A PRELIMINARY HEARING under Rule 5.1 in the district of arrest:

- ☐ is not necessary because the defendant is charged by indictment.
- ☒ has been waived by the defendant but reserved in the charging district.
- ☐ has been waived by the defendant in both the district of arrest and the charging district.
- ☐ has been requested by the defendant to be held in the district of arrest and is set for: _____ . Rule 5(c)(3)(C).

☐ For purposes of the defendant's IDENTITY, the undersigned FINDS that:

- ☒ the defendant is the same person named in the indictment, information, or warrant because the defendant admits that he is the same person and waived an identity hearing.
- ☐ an identity hearing has been requested by the defendant and is set for: _____ . Rule 5(c)(3)(D)(ii).

☐ A DETENTION HEARING in the district of arrest:

- ☐ is not necessary because the government is not seeking detention.
- ☒ has been waived by the defendant but reserved for the charging district.
- ☐ has been waived by the defendant in both the district of arrest and the charging district.
- ☐ is moot because the defendant is in state or ICE **custody**.
- ☐ has been requested by the defendant and is set for: _____ . Rule 5(d)(3).

It is ORDERED that the defendant must:


- ☒ remain in custody of the United States Marshal and transferred to the United States Marshal for the charging district, or to any other officer authorized to receive the defendant.
- ☐ remain in custody of the United States Marshal pending the hearings scheduled above and delivered to Court at that time and place.
- ☐ be released, subject to the Order Setting Conditions and Appearance Bond of this date.

ORDERED this 14th day of May, 2024.



JOHN R. PARKER
UNITED STATES MAGISTRATE JUDGE

AO 466A (Rev. 12/17) Waiver of Rule 5 & 5.1 Hearings (Complaint or Indictment)

FILED - USDC - NDTX - AB
MAY 14 2024 PM 12:03


UNITED STATES DISTRICT COURT

for the

Northern District of Texas

United States of America

v.

ALIK ISAAH COLLINS

Defendant

Case No. 1:24-MJ-0025-BU

Charging District's Case No. 24-MJ-650

**WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint or Indictment)**I understand that I have been charged in another district, the *(name of other court)* _____
District of New Mexico - Albuquerque

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing to determine whether there is probable cause to believe that an offense has been committed, to be held within 14 days of my first appearance if I am in custody and 21 days otherwise, unless I have been indicted beforehand.
- (5) a hearing on any motion by the government for detention;
- (6) request a transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- ☒ an identity hearing and production of the warrant.
- ☐ a preliminary hearing.
- ☐ a detention hearing.
- ☐ an identity hearing, production of the judgment, warrant, and warrant application, and any preliminary or detention hearing to which I may be entitled in this district. I request that my
- ☒ preliminary hearing and/or ☒ detention hearing be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: 5/14/2024



Defendant's signature



Signature of defendant's attorney

Kristen Ayers

Printed name of defendant's attorney

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION

UNITED STATES OF AMERICA

v.

ALIK ISAAH COLLINS

No. 1:24-MJ-025-BU

MOTION FOR PRETRIAL DETENTION
MOTION TO CONTINUE DETENTION HEARING

The United States asks for the pretrial detention of Defendant under Title 18, United States Code, Sections 3142(e) and 3142(f). This case is eligible for a detention order under 18 U.S.C. § 3142(f) because it is a case that involves:

- a. crime of violence as defined in 18 U.S.C. § 3156(a)(4), violation of section 1591, or federal crime of terrorism for which the maximum sentence is 10 years or more. (18 U.S.C. § 3142(f)(1)(A));
- b. an offense for which the maximum sentence is life imprisonment or death. (18 U.S.C. § 3142(f)(1)(B));
- c. a felony that involves a minor victim or failure to register as a sex offender. (18 U.S.C. § 3142(f)(1)(E)); and
- d. a serious risk defendant will flee. (18 U.S.C. § 3142(f)(2)(A)).

The Court should detain defendant, under 18 U.S.C. § 3142(e), because no condition or combination of conditions will reasonably assure the defendant's appearance as required or the safety of any other person and the community.

The United States will invoke the rebuttable presumption against defendant under 18 U.S.C. § 3142(e). The presumption applies because there is a qualifying offense involving a minor victim. (18 U.S.C. § 3142(e)(3)(E)).

The United States requests the Court conduct the detention hearing after a continuance of three days.

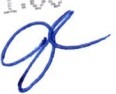
Respectfully submitted,

LEIGHA SIMONTON
UNITED STATES ATTORNEY

A handwritten signature in blue ink, appearing to read "Matt Tusing", is written over a horizontal line.

MATTHEW L. TUSING
Assistant United States Attorney
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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION

FILED - USDC - NDTX - AB
MAY 7 2024 PM 1:00


UNITED STATES OF AMERICA

v.

ALIK ISAIAH COLLINS (1)

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CASE NO. 1:24-MJ-00025-BU

ORDER APPOINTING FEDERAL PUBLIC DEFENDER

The court finds that the Defendant is financially unable to obtain counsel.

IT IS, THEREFORE, ORDERED, that the Federal Public Defender for the Northern District of Texas is appointed as counsel of record for the Defendant. Such appointment shall be for all proceedings, including any appeal.

The Clerk will furnish a copy of this order to each attorney of record.

DATED: 7th day of May, 2024.



JOHN R. PARKER
UNITED STATES MAGISTRATE JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION

UNITED STATES OF AMERICA

v.

ALIK ISAAH COLLINS

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CASE NO.: 1:24-MJ-025-BU (ECF)

ENTRY OF APPEARANCE OF COUNSEL

☐ I wish to enter my appearance as *retained* counsel for the above-named defendant(s) in this cause.

☒ I hereby enter my appearance as *appointed* counsel for the above-named defendant(s) in this case.

I understand that it is my duty to continue to represent the above-named defendant(s) in connection with all matters relating to this cause, and in connection with all proceedings therein in this Court; to assist the defendant(s) with any appeal which the defendant(s) desires to perfect, and to represent the defendant(s) on appeal until a final judgment has been entered; unless and until, after written motion filed by me, I am relieved by Order of the Court.

In all cases an arraignment is scheduled promptly after the return or filing of an indictment or information, at which time the defendant must enter a plea. Your attention is directed to Rule 12, Federal Rules of Criminal Procedure, pertaining to pretrial motions.

Dated: May 8, 2024

/s/ **Kristen Ayers**

Kristen Ayers

Assistant Federal Public Defender

Bar No. 24100939

Federal Public Defender's Office

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Telephone: (806) 472-7236

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E-mail: kristen_ayers@fd.org

Attorney for Defendant

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

No. 1:24-MJ-0025-BU

ALIK ISAAH COLLINS,

Defendant.

UNOPPOSED MOTION FOR CONTINUANCE OF INITIAL APPEARANCE

Comes now, Alik Isaiah Collins, by and through his attorney, Assistant Federal Public Defender Kristen Ayers, and files this Unopposed Motion for Continuance of Initial Appearance and would respectfully demonstrate as follows:

1. The Office of the Federal Public Defender was appointed to represent Mr. Collins on the Rule 5 Proceedings on May 7, 2024. A notice of appearance was furnished to the Court via email on May 7, 2024.
2. The undersigned is set to visit with Mr. Collins in the Taylor County Detention Center on May 8, 2024.
3. Collins is set for an Initial Appearance on May 9, 2024 at 10:00 a.m. Counsel for the defendant is currently set for multiple jail visits that have been pre-scheduled with the Rolling Plains Detention Center on May 9, 2024. Counsel is available on May 14, 2024, should the Court be amenable to setting the Initial Appearance and/or Preliminary and Detention Hearings for that date. Counsel is currently set for hearing on an unrelated matter on May 16, 2024 before the Honorable James Wesley Hendrix and is unavailable as a result.

4. Counsel for the defendant has conferred with Assistant United States Attorney Matt Tusing by telephone on May 7, 2024 regarding the relief sought. Mr. Tusing has indicated that the government does not oppose this request.
5. This continuance is not sought for unwarranted delay but rather so that justice may be done.

Respectfully submitted,

JASON D. HAWKINS
Federal Public Defender
Northern District of Texas

/s/ Kristen L. Ayers

Kristen L. Ayers
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E-mail: kristen_ayers@fd.org
Attorney for Defendant Alik Isaiah Collins

CERTIFICATE OF CONFERENCE

I, Kristen Ayers, certify that I conferred with Assistant U.S. Attorney Matt Tusing on May 7, 2024 regarding the filing of this Motion. The government is not opposed.

/s/ Kristen L. Ayers

Kristen L. Ayers

Assistant Federal Public Defender

CERTIFICATE OF SERVICE

I, Kristen Ayers, certify that on May 7, 2024 the foregoing document was submitted to the United States District Court and Assistant United States Attorneys Matt Tusing and Whitney Ohlhausen via email as this case is sealed, and counsel for the undersigned is not currently able to file documents via the Court's electronic filing system.

/s/ Kristen L. Ayers

Kristen L. Ayers

Assistant Federal Public Defender

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION**

UNITED STATES OF AMERICA

v.

ALIK ISAAH COLLINS (1)

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CASE NO. 1:24-MJ-00025-BU

ORDER ON MOTION FOR CONTINUANCE

Upon motion of the Defendant, ALIK ISAAH COLLINS (1) requested the Court to grant a continuance of the Initial Appearance set for May 9, 2024, at 10:00 a.m. The Court having reviewed the facts and legal issues surrounding said motion and for good cause shown in the unopposed motion, this Court hereby GRANTS said motion. The Initial Appearance in this case shall be reset for **Tuesday, May 14, 2024, at 10:00 a.m.**, in the courtroom of the United States Courthouse, 2nd Floor, Room 2000, 341 Pine Street, Abilene, Texas.

So ordered.

DATED: 8th day of May, 2024.



JOHN R. PARKER
UNITED STATES MAGISTRATE JUDGE